

EXHIBIT J

**IN THE STATE COURT OF FULTON COUNTY
 STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiffs,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. 18EV003265
SEW-EURODRIVE, INC., JOESEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO TRANSFER VENUE

Defendants SEW-Eurodrive, Inc., Joseph Tetzl, and William Huffstetler respectfully file this consent motion pursuant to Georgia's Uniform Transfer Rules,¹ Uniform Superior Court Rule 19.1, and Ga. Const. 1983, Art. VI, Sec. II, Paras. IV and VI, to transfer venue of this case from the State Court of Fulton County to the Superior Court of Oconee County, and without waiving any rights or defenses, respectfully state as follows:

In Georgia, a defendant has a constitutional right to have suit brought against it in the county of its residence. Here, although Plaintiff filed suit against Defendants in Fulton County, none of the Defendants reside there. Instead, and at all relevant times, Defendant William Huffstetler, has resided in Oconee County. The other two Defendants, SEW-Eurodrive and Joseph Tetzl, are foreign residents. Because Mr. Huffstetler has the constitutional right to defend this action in the county of his residence, both he and the other Defendants respectfully ask this Court to transfer this case to the Superior Court of Oconee County pursuant to Georgia Uniform Superior Court Rule 19.1.

¹ Georgia's transfer rules are found at 251 Ga. 893 (1984).

Although a plaintiff may usually file suit against multiple defendants in any county in which venue is proper against any one of the defendants, that rule only applies when the plaintiff files suit in a county in which one or more of the defendants reside, and it does not apply when the sole basis for venue is Georgia's Long Arm Statute:

Holding that the joint obligor provisions apply only when the defendants are Georgia residents, the Supreme Court has ruled that in a suit against a Georgia resident and a foreign corporation not registered to do business in Georgia, venue against the Georgian cannot lie in the county in which venue is proper against the foreign defendant under the Long Arm Statute because that statute does not make the foreign corporation a "resident" for purposes of joint obligor venue. *Bergen v. Martindale-Hubbell*, 245 Ga. 742, 743, 267 S.E.2d 10 (1980). Accord *Weitzel v. Griffin & Assoc.*, 192 Ga.App. 89, 383 S.E.2d 653 (1989); see generally Gary, "Annual Survey of Georgia Law: Trial Practice and Procedure," 32 Mercer L.Rev. 225, 230–232 (1981).²

Here, the sole basis for venue in Fulton County is the Long Arm Statute. Both Defendants SEW-Eurodrive and Joseph Tetzl reside out of state, and the alleged accident occurred in Fulton County. But the third Defendant, William Huffstetler, is a Georgia resident who lives in Oconee County. He therefore has a constitutional right to defend this action in his home county, and that right trumps the Long Arm Statute's venue provision. Because venue is improper in Fulton County, Defendants respectfully ask this Court to grant their motion, and transfer this case to Oconee County.

² *Goodman v. Vilston, Inc.*, 197 Ga. App. 718, 720–21, 399 S.E.2d 241, 243 (1990).

A proposed Order is attached.

Respectfully submitted this 30th day of August, 2018.

Andrew D. Horowitz
Georgia Bar No. 367815
Attorneys for Defendants

Drew, Eckl & Farnham, LLP
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
Email: ahorowitz@deflaw.com
8152457/1
05769-134134

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiffs,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. 18EV003265
SEW-EURODRIVE, INC., JOESEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing *Defendants' Motion to Transfer Venue and Proposed Order* upon all parties concerned electronically with Odyssey E-file Georgia, as prescribed by the Court, which will deliver electronic notification of same to the following:

Andrew L. Hagenbush, Esq.
Morgan & Morgan Atlanta, PLLC
Post Office Box 57007
Atlanta, Georgia 30343-1007
ahagenbush@forthepeople.com

This 30th day of August, 2018.

/s/ Andrew D. Horowitz
Andrew D. Horowitz
Georgia Bar No. 367815
Attorneys for Defendants

DREW, ECKL & FARNHAM, LLP
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
Email: ahorowitz@deflaw.com
8152457/1
05769-134134

**IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA**

TIFFANY SNADON

Plaintiff,

vs.

**SEW-EURODRIVE, INC., JOSEPH
TETZEL, WILLIAM HUFFSTETLER,
and JOHN DOE 1 through JOHN DOE 3**

Defendants.

CIVIL ACTION

FILE NO: 18EV003265

JURY TRIAL DEMANDED

**PLAINTIFF'S RESPONSE AND OBJECTION TO DEFENDANT'S MOTION TO
TRANSFER VENUE**

COMES NOW, Plaintiff, by and through counsel, and files this, her, RESPONSE AND OBJECTION TO DEFENDANT'S MOTION TO TRANSFER VENUE and shows the Court as follows:

Defendants' Motion to Transfer Venue must be denied because Defendants, SEW-EURODRIVE, INC. ("SEW") and JOSEPH TETZEL ("TETZEL") are not subject to the venue and jurisdiction of Oconee County and cannot be transferred to that County. The three named Defendants include a foreign corporation (SEW) that is not registered to do business within the state, a non-resident individual ("TETZEL") and a Georgia resident ("HUFFSTETLER"). SEW and TETZEL are only subject to the venue and jurisdiction of Fulton County as venue of nonresidents is only proper subject to the provisions of the long-arm statute. Goodman v. Vilston, Inc., 197 Ga. App. 718, 721, 399 S.E.2d 241, 244 (1990) ("venue against the nonresident individual is proper only where authorized by the Long Arm Statute.")

Goodman is instructive in this case. As Defendants cite in their brief, Goodman reiterated that venue against a resident "cannot lie in the county in which venue is proper against the

foreign defendant under the Long Arm Statute because that statute does not make the foreign corporation a "resident" for purposes of joint obligor venue." Goodman citing, Bergen v. Martindale-Hubbell, 245 Ga. 742, 743(2), 267 S.E.2d 10 (1980). However, the Goodman decision extended the reasoning in Bergen, stating, "an individual defendant who lives outside the State does not 'reside' in Georgia so as to be subject to the joint obligor venue provisions, and venue against the nonresident individual is proper only where authorized by the Long Arm Statute. Goodman at 721 (emphasis added). Therefore, while venue may not be appropriate as to Huffstetler in Fulton County, venue is equally inappropriate in Oconee County for SEW and Tetzl because the long-arm statute does not provide for jurisdiction in Oconee for the out of state Defendants.

The appropriate remedy in such situations involves splitting the case as to the resident and non-resident Defendants. This "cumbersome" solution was contemplated in Goodman as the only remedy to ensure compliance with the Constitution and the Long-Arm venue provisions.

In such circumstances, separate suits against the resident and nonresident defendants may be required, thereby making litigation against joint obligors more cumbersome. Nonetheless, we are constrained by the legislative language and the interpretation given to it by the Supreme Court to reach this result. Any correction of this anomaly must be left to the General Assembly.

Goodman v. Vilston, Inc., 197 Ga. App. 718, 721, 399 S.E.2d 241, 244 (1990). Therefore, Plaintiff requests this Court DENY Defendant's Motion to Transfer Venue as to All Defendants and, instead, follow the reasoning in Goodman and transfer only Defendant Huffstetler to Oconee County. Defendants SEW and Tetzl must remain in Fulton County.

[SIGNATURE ON NEXT PAGE]

This 7th day of September, 2018.

Respectfully submitted,

/s/ Andrew L. Hagenbush
Andrew L Hagenbush
Georgia Bar No. 127945
Attorney for Plaintiff

Morgan & Morgan Atlanta, PLLC
P.O. Box 57007
Atlanta, GA 30343
Telephone: 404.965.8811

**IN THE STATE COURT OF FULTON COUNTY
 STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiffs,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. 18EV003265
SEW-EURODRIVE, INC., JOESEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

ORDER OF TRANSFER TO PAULDING COUNTY STATE COURT

This case is presented before the court on Defendants' Motion to Transfer Venue to the Superior Court of Oconee County. The Court has reviewed and considered the motion, and hereby finds as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants' Motion to Transfer Venue to the Superior Court of Oconee County is hereby GRANTED, and this case shall be transferred to the Superior Court of Oconee County, where venue is proper, pursuant to Uniform Superior Court Rule 19.1.

Pursuant to Uniform Superior Court Rule 19.1 and the Uniform Transfer Rules, Plaintiff must pay all accrued court costs within 20 days of mailing or delivery of the Clerk's cost bill to Plaintiff. If Plaintiff fails to pay such costs, the action shall automatically stand dismissed without prejudice.

SO ORDERED this _____ day of _____, 2018.



 Honorable Fred C. Eady
 State Court of Fulton County

RESPECTFULLY PREPARED BY:

DREW, ECKL & FARNHAM, LLP

/s/ Andrew D. Horowitz

Andrew D. Horowitz

Georgia State Bar No. 367815



303 Peachtree Street, Suite 3500

Atlanta, Georgia 30308

Attorneys for Defendants

8152457/1

05769-134134

 **EFILED IN OFFICE**
 CLERK OF SUPERIOR COURT
 OCONEE COUNTY, GEORGIA
SUCV2018000325
 HPH
 FEB 08, 2019 01:14 PM

 Angela Elder-Johnson, Clerk
 Oconee County, Georgia

IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

CONSENT MOTION TO EXTEND DISCOVERY PERIOD

The parties in the above-styled civil action respectfully move the Court to extend the discovery period for an additional 90 days, through and including May 23, 2019. The parties continue to work together as to all aspects of this case. To date, the parties have exchanged written discovery responses and currently are in the process of scheduling fact-witness depositions. There have been unavoidable delays in scheduling and securing some potentially relevant records, but counsel for all parties are cooperating to schedule and secure all necessary discovery by May 23, 2019. The parties continue to diligently pursue additional discovery and do not seek this extension for any improper purpose. The parties have included a proposed consent order granting this motion for an extension of the discovery period.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

This 8th day of February, 2019.

DREW ECKL & FARNHAM, LLP

/s/ Trevor E. Brice

Andrew D. Horowitz
Georgia Bar No. 367815
Trevor E. Brice
Georgia Bar No. 847049
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
(404) 885-1400
Attorneys for Defendants

MORGAN & MORGAN ATLANTA, PLLC

/s/ Christopher J. Graddock

Christopher J. Graddock
Georgia Bar No. 304020
Andrew L. Hagenbush
Georgia Bar No. 127945
PO Box 57007
Atlanta, Georgia 30343
(404) 965-8811
Attorneys for Plaintiff
[with express permission by Trevor E. Brice]

**IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

Today I served the foregoing *Consent Motion to Extend Discovery Period* upon counsel electronically via PeachCourt e-file, as prescribed by the Court, addressed as follows:

Christopher J. Graddock, Esq.
Andrew L. Hagenbush, Esq.
Morgan & Morgan Atlanta, PLLC
PO Box 57007
Atlanta, GA 30343
cgraddock@forthepeople.com
ahagenbush@forthepeople.com

This 8th day of February, 2019.

DREW ECKL & FARNHAM, LLP

/s/ Trevor E. Brice
Trevor E. Brice
Georgia Bar No. 847049
Attorney for Defendants

303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
tbrice@deflaw.com

8564028/1
05769-134134

FILED IN OFFICE
CLERK OF SUPERIOR COURT
OCONEE COUNTY, GEORGIA
SUCV2018000325
HPH
FEB 15, 2019 01:37 PM

IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA

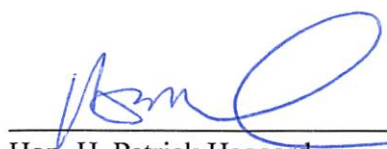
TIFFANY SNADON,)
)
Plaintiff,)
)
v.) CIVIL ACTION FILE
) NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)
TETZEL, WILLIAM HUFFSTETLER,)
and JOHN DOE 1 through JOHN DOE 3,)
)
Defendants.)


Angela Elder-Johnson, Clerk
Oconee County, Georgia

CONSENT ORDER

Whereas it appears that the parties have agreed to extend the time in which discovery may be conducted and for good cause shown, IT IS HEREBY ORDERED that the time in which discovery may be conducted in this case is hereby extended through and including May 23, 2019.

SO ORDERED THIS 15 day of Feb, 2019.


Hon. H. Patrick Haggard
Chief Judge, Western Judicial Circuit

[ADDITIONAL SIGNATURES APPEAR ON FOLLOWING PAGE]

Served: Clerk
Andrew Horowitz
Trevor Brice
Christopher Graddock
Andrew Hagenbush

Prepared and consented to by:

DREW ECKL & FARNHAM, LLP

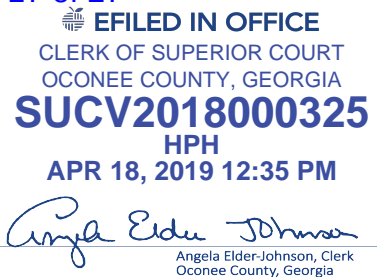
/s/ Trevor E. Brice

Andrew D. Horowitz
Georgia Bar No. 367815
Trevor E. Brice
Georgia Bar No. 847049
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
(404) 885-1400
Attorneys for Defendants

MORGAN & MORGAN ATLANTA, PLLC

/s/ Christopher J. Graddock

Christopher J. Graddock
Georgia Bar No. 304020
Andrew L. Hagenbush
Georgia Bar No. 127945
PO Box 57007
Atlanta, Georgia 30343
(404) 965-8811
Attorneys for Plaintiff
[with express permission by Trevor E. Brice]



IN THE STATE COURT OF OCONEE COUNTY
STATE OF GEORGIA

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

**STIPULATION EXTENDING TIME TO RESPOND TO DEFENDANT, WILLIAM
HUFFSTETLER'S, MOTION FOR SUMMARY JUDGMENT**

Defendant, William Huffstetler's Motion for Summary Judgment is pending before the Court. Counsel for Mr. Huffstetler served the Motion and Brief upon Plaintiff's counsel on March 19th, 2019, making any Response or Opposition due on April 18th, 2019. Discovery has not yet closed and the parties have scheduled the deposition of Defendant Huffstetler for May 8th. The testimony of Mr. Huffstetler will likely bear directly on the issues set forth in his Motion for Summary Judgment. Because the deposition will occur after the deadline to respond to the Motion, the parties have agreed to extend the time for any response and filing of all attendant documents in opposition to the Motion for Summary Judgment.

Accordingly, this stipulation between the Parties, reached under O.C.G.A. § 9-11-6(b), to provide additional time for Plaintiff to respond to said Motion and Brief, will confirm that the time for Plaintiff's Response and Opposition to the Motion for Summary Judgment is extended by stipulation and all briefs and attendant filings will now be due on May 20th, 2019.

[Signatures on the Following Page]

So stipulated and submitted this 18th day of April, 2019.

MORGAN & MORGAN ATLANTA, PLLC

/s/ Andrew L. Hagenbush
Andrew L. Hagenbush
Georgia State Bar No.: 127945
AHagenbush@forthepeople.com
Post Office Box 57007
Atlanta, GA 30343-1007
404-965-8811 (Telephone)
404-965-8812 (Fax)
Attorneys for Plaintiff

DREW ECKL & FARNHAM, LLP

/s/ Andrew D. Horowitz
Andrew D. Horowitz
Georgia Bar No.: 367815
Trevor E. Brice
Georgia Bar No.: 847049
ahorowitz@deflaw.com
tbrice@deflaw.com
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
(404) 885-1400
Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that, on this date, I served a copy of **STIPULATION EXTENDING TIME TO RESPOND TO DEFENDANT, WILLIAM HUFFSTETLER’S, MOTION FOR SUMMARY JUDGMENT** in this action on counsel of record by forwarding the same by Federal Express Overnight Mail, in an envelope with sufficient postage affixed, and addressed as follows:



Andrew D. Horowitz, Esq.
Trevor E. Brice, Esq.
Drew, Eckl & Farnham, LLP
303 Peachtree Street
Suite 3500
Atlanta, GA 30308

This 18th day of April, 2019.

MORGAN & MORGAN ATLANTA, PLLC

/s/ Andrew L. Hagenbush
Andrew L. Hagenbush, Esq.
AHagenbush@forthepeople.com
Georgia State Bar No.: 127945
Post Office Box 57007
Atlanta, GA 30343-1007
404-965-8811 (Telephone)
404-965-8812 (Fax)

Attorney for Plaintiff

 **EFILED IN OFFICE**
 CLERK OF SUPERIOR COURT
 OCONEE COUNTY, GEORGIA
SUCV2018000325
 HPH
 APR 29, 2019 07:10 PM

 Angela Elder-Johnson, Clerk
 Oconee County, Georgia

IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

SECOND CONSENT MOTION TO EXTEND DISCOVERY PERIOD

The parties in the above-styled civil action respectfully move the Court to extend the discovery period for an additional 90 days, through and including August 21, 2019. The parties continue to work together as to all aspects of this case. To date, the parties have exchanged written discovery responses and taken party depositions, and currently are in the process of scheduling fact witness depositions. Additional discovery remains, however, including expert witness depositions and third-party requests for potentially relevant records. There have been unavoidable delays in completing this remaining discovery, but counsel for all parties are cooperating to schedule and secure all necessary discovery by August 21, 2019. The parties continue to diligently pursue additional discovery and do not seek this extension for any improper purpose. A proposed consent order granting this motion is enclosed for the Court's consideration.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

This 29th day of April, 2019.

DREW ECKL & FARNHAM, LLP

/s/ Trevor E. Brice

Andrew D. Horowitz
Georgia Bar No. 367815
Trevor E. Brice
Georgia Bar No. 847049
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
(404) 885-1400
ahorowitz@deflaw.com
tbrice@deflaw.com
Attorneys for Defendants

MORGAN & MORGAN ATLANTA, PLLC

/s/ Andrew L. Hagenbush

Christopher J. Graddock
Georgia Bar No. 304020
Andrew L. Hagenbush
Georgia Bar No. 127945
PO Box 57007
Atlanta, Georgia 30343
(404) 965-8811
cgraddock@forthepeople.com
ahagenbush@forthepeople.com
Attorneys for Plaintiff
[with express permission by Trevor E. Brice]

**IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

Today I served the foregoing *Second Consent Motion to Extend Discovery Period* upon counsel electronically via PeachCourt e-file, as prescribed by the Court, addressed as follows:

Christopher J. Graddock, Esq.
Andrew L. Hagenbush, Esq.
Morgan & Morgan Atlanta, PLLC
PO Box 57007
Atlanta, GA 30343
cgraddock@forthepeople.com
ahagenbush@forthepeople.com

This 29th day of April, 2019.

DREW ECKL & FARNHAM, LLP

/s/ Trevor E. Brice
Trevor E. Brice
Georgia Bar No. 847049
Attorney for Defendants

303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
tbrice@deflaw.com

8741144/1
05769-134134

FILED IN OFFICE
CLERK OF SUPERIOR COURT
OCONEE COUNTY, GEORGIA
SUCV2018000325
HPH
MAY 01, 2019 08:51 AM

Angela Elder Johnson
Angela Elder-Johnson, Clerk
Oconee County, Georgia

IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA

TIFFANY SNADON,

Plaintiff,

v.

SEW-EURODRIVE, INC., JOSEPH
TETZEL, WILLIAM HUFFSTETLER,
and JOHN DOE 1 through JOHN DOE 3,

Defendants.

CIVIL ACTION FILE
NO. SUCV2018000325

CONSENT ORDER

Whereas it appears that the parties have agreed to extend the time in which discovery may be conducted and for good cause shown, IT IS HEREBY ORDERED that the time in which discovery may be conducted in this case is hereby extended through and including August 21, 2019.

SO ORDERED THIS 30 day of April, 2019.

H. Patrick Haggard
Hon. H. Patrick Haggard
Chief Judge, Western Judicial Circuit

[ADDITIONAL SIGNATURES APPEAR ON FOLLOWING PAGE]

Served: Clerk
Andrew Horowitz
Trevor Brice
Andrew Hagenbuch
Christopher Braddock

Prepared and consented to by:

DREW ECKL & FARNHAM, LLP

/s/ Trevor E. Brice

Andrew D. Horowitz

Georgia Bar No. 367815

Trevor E. Brice

Georgia Bar No. 847049

303 Peachtree Street

Suite 3500

Atlanta, Georgia 30308

(404) 885-1400

Attorneys for Defendants

MORGAN & MORGAN ATLANTA, PLLC

/s/ Andrew L. Hagenbush

Christopher J. Graddock

Georgia Bar No. 304020

Andrew L. Hagenbush

Georgia Bar No. 127945



PO Box 57007

Atlanta, Georgia 30343

(404) 965-8811

Attorneys for Plaintiff

[with express permission by Trevor E. Brice]

 **EFILED IN OFFICE**
 CLERK OF SUPERIOR COURT
 OCONEE COUNTY, GEORGIA
SUCV2018000325
 HPH
 MAY 09, 2019 09:30 PM

 Angela Elder-Johnson, Clerk
 Oconee County, Georgia

IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

DEFENDANTS' NOTICE OF INTENT TO APPORTION LIABILITY TO NONPARTY

Pursuant to O.C.G.A. §§ 51-12-33 (d) (1) and (2), Defendants SEW-Eurodrive, Inc., Joseph Tetzl, and William Huffstetler respectfully give notice of their intent to seek apportionment of liability at trial against nonparty Nth Degree, Inc.

Before Plaintiff's alleged April 6, 2018, accident, Defendant SEW contracted with Nth Degree to assemble its trade-show booth at the World Congress Center. At the time of her alleged accident, Plaintiff working for Nth Degree, and was tasked with helping to assemble the SEW booth. At all relevant times, then, Nth Degree was responsible for properly training and supervising Plaintiff as to how to perform the assembly work in a safe manner. Plaintiff and her Nth Degree co-workers failed to exercise due care for their own safety, and the jury should therefore be entitled to apportion fault between Plaintiff and Nth Degree, including the latter's failure to properly train and supervise Plaintiff. Moreover, to the extent Plaintiff claims she should have been provided with safety equipment to use while assembling trade show booths, the jury should be entitled to apportion fault to Nth Degree for failing to provide any such safety equipment.

Defendants specifically deny all allegations of liability and negligence against them contained in Plaintiff's complaint, and deny that any person or entity other than Plaintiff was responsible for her alleged accident. To the extent a person or entity other than Plaintiff is responsible for her accident, however, Defendants respectfully submit that liability should be apportioned against nonparty Nth Degree.

This 9th day of May, 2019.

/s/ Trevor E. Brice

Andrew D. Horowitz
Georgia Bar No. 367815
Trevor E. Brice
Georgia Bar No. 847049
Attorneys for Defendants

DREW, ECKL & FARNHAM, LLP
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
Email: ahorowitz@deflaw.com
tbrice@deflaw.com

8798709/1
05769-134134

**IN THE SUPERIOR COURT OF OCONEE COUNTY
STATE OF GEORGIA**

TIFFANY SNADON,)	
)	
Plaintiff,)	
)	
v.	)	CIVIL ACTION FILE
	)	NO. SUCV2018000325
SEW-EURODRIVE, INC., JOSEPH)	
TETZEL, WILLIAM HUFFSTETLER,)	
and JOHN DOE 1 through JOHN DOE 3,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

Today I served a copy of *Defendants' Notice of Intent to Apportion Liability to Nonparty* upon counsel upon counsel electronically via PeachCourt e-file, as prescribed by the Court, addressed as follows:

Christopher J. Graddock, Esq.
Andrew L. Hagenbush, Esq.
Morgan & Morgan Atlanta, PLLC
PO Box 57007
Atlanta, GA 30343
cgraddock@forthepeople.com
ahagenbush@forthepeople.com

This 9th day of May, 2019.

/s/ Trevor E. Brice
Trevor E. Brice
Georgia Bar No. 847049
Attorney for Defendants

DREW, ECKL & FARNHAM, LLP
303 Peachtree Street
Suite 3500
Atlanta, Georgia 30308
Telephone: (404) 885-1400
Facsimile: (404) 876-0992
Email: tbrice@deflaw.com

8798709/1
05769-134134